



General Assembly

January Session, 2001

Amendment

LCO No. 6213

Offered by:
SEN. SULLIVAN, 5th Dist.

To: Senate Bill No. 281

File No. 477

Cal. No. 331

"AN ACT CONCERNING VOTING TECHNOLOGY."

1 Strike out everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (a) There is established a commission to study the use of
4 new voting technology in this state. The commission shall submit a
5 report on its findings and recommendations in accordance with
6 subsection (g) of this section.

7 (b) The commission shall consist of the following members:

8 (1) One appointed by the speaker of the House of Representatives;

9 (2) One appointed by the president pro tempore of the Senate;

10 (3) One appointed by the majority leader of the House of
11 Representatives;

12 (4) One appointed by the majority leader of the Senate;

- 13 (5) One appointed by the Secretary of the State;
- 14 (6) One appointed by the State Elections Enforcement Commission;
- 15 (7) One appointed by the Secretary of the Office of Policy and
16 Management;
- 17 (8) The chairpersons and ranking members of the joint standing
18 committee of the General Assembly having cognizance of matters
19 relating to government administration and elections, or their
20 designees;
- 21 (9) Two appointed by the Registrars of Voters Association of
22 Connecticut, with each member from a different political party; and
- 23 (10) Two appointed by the Connecticut Town Clerks Association,
24 with each member from a different political party.
- 25 (c) Any member of the commission appointed under subdivision
26 (1), (2), (3), (4) or (8) of subsection (b) of this section may be a member
27 of the General Assembly.
- 28 (d) All appointments to the commission shall be made not later than
29 thirty days after the effective date of this section. Any vacancy shall be
30 filled by the appointing authority.
- 31 (e) The chairpersons of the joint standing committee of the General
32 Assembly having cognizance of matters relating to government
33 administration and elections, or their designees, shall serve as
34 chairpersons of the commission. The chairpersons shall schedule the
35 first meeting of the commission, which shall be held not later than
36 sixty days after the effective date of this section.
- 37 (f) The administrative staff of the joint standing committee of the
38 General Assembly having cognizance of matters relating to
39 government administration and elections shall serve as administrative
40 staff of the commission.

41 (g) Not later than January 1, 2002, the commission shall submit a
42 report on its findings and recommendations to the Secretary of the
43 State, and to the joint standing committee of the General Assembly
44 having cognizance of matters relating to elections in accordance with
45 the provisions of section 11-4a of the general statutes. The report shall
46 include (1) a recommendation on the type of voting technology that
47 the Secretary of the State should approve for use in all elections,
48 primaries and referenda held in this state pursuant to title 9 of the
49 general statutes, (2) a plan for installing and maintaining the
50 recommended voting technology, (3) a plan for providing necessary
51 training and public information concerning the voting technology, and
52 (4) criteria for distributing grants-in-aid pursuant to section 2 of this
53 act. The commission may not recommend the use of any voting
54 machine or technology that records votes by means of holes punched
55 in designated voting response locations. The commission shall
56 terminate on the date it submits the report or January 1, 2002,
57 whichever is earlier.

58 Sec. 2. The Secretary of the State may, within the limits of available
59 appropriations, provide grants-in-aid to municipalities to defray the
60 costs of utilizing on a pilot basis for the general election to be held in
61 November 2002, voting machines that are recommended by the
62 commission established in section 1 of this act and approved by the
63 Secretary of the State under sections 9-241 and 9-242 of the general
64 statutes, as amended by this act.

65 Sec. 3. Section 9-241 of the general statutes is repealed and the
66 following is substituted in lieu thereof:

67 (a) All elections, primaries and referenda held pursuant to this title
68 using voting machines shall be conducted by using the same type of
69 voting machine at all locations.

70 (b) The Secretary of the State shall approve a voting machine for use
71 at elections, primaries and referenda held pursuant to this title based
72 on the recommendations of the commission established in section 1 of

73 this act. The Secretary shall designate such machines by adopting
74 regulations in accordance with the provisions of chapter 54. The
75 regulations shall include a description of the voting machine,
76 specifications and standards for the machine and provisions for use of
77 the machine, including, but not limited to, the adjustment of the
78 machine in preparation for voting, process of voting, canvass of votes
79 cast and certifications.

80 (c) Any person owning or holding an interest in any voting
81 machine, as defined in subsection (w) of section 9-1, may apply to the
82 Secretary of the State to examine such machine and report on its
83 accuracy and efficiency. The Secretary of the State shall examine the
84 machine and determine whether, in [his] the Secretary's opinion, the
85 kind of machine so examined meets the requirements of section 9-242,
86 as amended by this act, and can be used at elections, primaries and
87 referenda [under] held pursuant to this title. If the Secretary of the
88 State determines that the machine can be so used and adopts
89 regulations under subsection (b) of this section, such machine [may be
90 adopted] shall be approved for such use. No machine not so approved
91 shall be so used. Each application shall be accompanied by a fee of one
92 hundred dollars and the Secretary of the State shall not [give his] make
93 such a determination or initiate the process for adopting said
94 regulations for approval of any machine until such fee and the
95 expenses incurred by [him] the Secretary in making the examination
96 have been paid by the person making such application. Any voting
97 machine company [which] that has had its voting machine approved
98 and [which] that subsequently alters such machine in any way [,] shall
99 provide the Secretary of the State with notice of such alterations,
100 including a description thereof and a statement of the purpose of such
101 alterations. If any such alterations appear to materially affect the
102 accuracy, appearance or efficiency of the machine, or modify the
103 machine so that it can no longer be used at elections, primaries or
104 referenda [under] held pursuant to this title, at the discretion of the
105 Secretary of the State, the company shall submit such alterations for
106 inspection and approval, at its own expense, and the Secretary shall

107 amend the regulations adopted under subsection (b) of this section
108 before such altered machines may be used. The Secretary of the State
109 may adopt regulations in accordance with the provisions of chapter 54
110 concerning examination [and approval] of voting machines under this
111 section.

112 (d) No voting machine that records votes by means of holes
113 punched in designated voting response locations may be used at any
114 election, primary or referendum under this title.

115 Sec. 4. Section 9-242 of the general statutes is repealed and the
116 following is substituted in lieu thereof:

117 (a) A voting machine approved pursuant to regulations adopted by
118 the Secretary of the State under subsection (b) of section 9-241, as
119 amended by this act, shall be so constructed as to provide facilities for
120 voting for the candidates of at least nine different parties or
121 organizations. [It] The machine shall (1) permit voting in absolute
122 secrecy, [. It shall be provided] (2) be equipped with a lock by means of
123 which any illegal movement of the voting or registering mechanism is
124 absolutely prevented, [. Such machine shall] and (3) be so constructed
125 that an elector cannot vote for a candidate or on a proposition for
126 whom or on which [he] the elector is not lawfully entitled to vote.

127 (b) [It] The machine shall be so constructed as to prevent an elector
128 from voting for more than one person for the same office, except when
129 [he] the elector is lawfully entitled to vote for more than one person for
130 that office, and it shall afford [him] the elector an opportunity to vote
131 for only as many persons for that office as [he] the elector is by law
132 entitled to vote for, at the same time preventing [his] the elector from
133 voting for the same person twice. [It] The machine shall be so
134 constructed that all votes cast will be registered or recorded by the
135 machine.

136 (c) Notwithstanding the provisions of subsection (b) of this section,
137 the Secretary of the State may [approve] adopt regulations under
138 subsection (b) of section 9-241, as amended by this act, approving a

139 voting machine [which] that requires the elector in the polls to place
140 [his] the elector's ballot into the recording device and which meets the
141 voluntary performance and test standards for voting systems adopted
142 by the Federal Election Commission on January 25, 1990, as amended
143 from time to time, [and regulations which the Secretary of the State
144 may adopt in accordance with the provisions of chapter 54,] provided
145 the voting machine shall (1) warn the elector of overvotes, (2) not
146 record overvotes, and (3) not record more than one vote of an elector
147 for the same person for an office.

148 Sec. 5. Section 9-242a of the general statutes is repealed.

149 Sec. 6. This act shall take effect July 1, 2001."